

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:16-CR-124-D-1

UNITED STATES OF AMERICA)	
)	
v.)	
)	<u>ORDER</u>
MATTHEW ASHLEY CUMMINGS,)	
)	
Defendant.)	

This matter came before this court today in accordance with Fed. R. Crim. P. 5, for purposes of Defendant's initial appearance regarding charges against Defendant contained in an indictment. [DE-15]. After the court advised Defendant of his rights, the charges in this case and maximum penalties, the government moved orally pursuant to 18 U.S.C. § 3141 *et seq.*, to detain Defendant pending further proceedings.

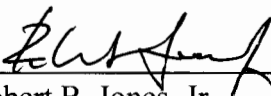
Defendant indicated to the court in writing his intention to waive the detention hearing in this matter. After conducting an inquiry of Defendant and his counsel in open court, this court finds that Defendant has waived his right to the detention hearing knowingly and voluntarily, and the court accepts Defendant's waiver of his right to a detention hearing.

Based on Defendant's waiver of his right to a detention hearing, there is no condition, or combination of conditions, that can be imposed which would reasonably assure Defendant's appearance and/or the safety of another person or the community as required. 18 U.S.C. § 3143(a)(1). Accordingly, the government's motion for detention is ALLOWED.

Defendant is hereby committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from

persons awaiting or serving sentences or held in custody pending appeal. Defendant shall be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshals for a court appearance.

So ordered, this the 6th day of December 2016.



Robert B. Jones, Jr.,
United States Magistrate Judge